

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JULY 25, 1994
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:12 p.m. City Manager McGrory introduced Marcela Escobar as the new City Manager's Council liaison. Ms. Escobar previously worked in the City's Planning Department. City Manager McGrory also recognized two City employees that were involved in the City's Agent Outreach Program at the Linda Vista Branch Library who appeared on the front cover of the Library National Journal. Mayor Golding adjourned the meeting at 9:10 p.m. and announced that the Regular Meeting of Tuesday, July 26, 1994, will begin at 10:30 a.m. with the City Council meeting in Closed Session in the 12th floor Conference Room to discuss pending litigation matters following the regular meeting of Tuesday, July 26, 1994.

ATTENDANCE DURING THE MEETING:

(M) Mayor Golding-present
(1) Council Member Mathis-present
(2) Council Member Roberts-present
(3) Council Member Kehoe-present
(4) Council Member Stevens-present
(5) Council Member Warden-present
(6) Council Member Stallings-present
(7) Council Member McCarty-present
(8) Council Member Vargas-present
Clerk-Abdelnour (ec)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:
(M) Mayor Golding-present
(1) Council Member Mathis-present
(2) Council Member Roberts-present
(3) Council Member Kehoe-present
(4) Council Member Stevens-present
(5) Council Member Warden-present
(6) Council Member Stallings-present
(7) Council Member McCarty-present
(8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Daniel R. Copp of Mission Valley Church of the Nazarene.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Kehoe.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO THE CITY MANAGER

Comments by Robert Scheidt regarding the denial of information for the license of the nightclub "Dream Girls."

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A036-071.)

ITEM-PC-2:

Comments by James Floros regarding Burn Run '94.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A072-096.)

ITEM-PC-3:

Comments by Wim Housley asking Council to fund the Center of Conservative Family Values in the amount of \$600,000 and thanking the City for sending the San Diego Police Department to assist at their rally.

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FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A097-117.)

ITEM-PC-4:

Comments by David Thompson regarding the public and Cox Cable.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A118-140.)

ITEM-PC-5:

Comments by James Good regarding the purchase of Sunset-Averil Property.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A147-167.)

ITEM-PC-6:

Comments by Carl Lind regarding graffiti in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A168-188.)

ITEM-PC-7:

Comments by Don Stillwell regarding the creation of the domestic and non-domestic \$100 bill.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A189-238.)

ITEM-PC-8:

Comments by Carl Hood regarding Treason and asking Council to docket SJR-41.

FILE LOCATION: AGENDA

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COUNCIL ACTION: (Tape location: A239-264.)

ITEM-PC-9: REFERRED TO THE CITY MANAGER

Comments by Jim Harnsberger requesting funds for the Center of Family Values in the amount of \$660,000.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A265-330.)

ITEM-PC-10: REFERRED TO THE CITY MANAGER

Comments by Martha Contreras requesting funds for Alba Educational Foundation in the amount of \$25,000.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A331-363.)

COUNCIL COMMENT:

ITEM-CC-1: REFERRED TO THE CITY MANAGER AND PS&S COMMITTEE

Comments by Council Member Roberts regarding two young adults who were killed this past weekend at a "Rave Party" in his district. Council Member Roberts requested the City Manager to do the following and then to docket for discussion at the PS&S Committee meeting: 1) Find out if the City is working closely with schools or others that have knowledge of the publication and distribution of these "Rave Party" leaflets; 2) Identify where these "Rave Parties" are being held in the City of San Diego; 3) Have a plan to take action when these "Rave Parties" occur; 4) Utilize the curfew violation; and 5) Work with the sheriff's and police departments to prevent these "Rave Parties" from happening.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A364-418.)

ITEM-CC-2:

Comments by Council Member Stevens commending the City Manager and Staff for the most recent award for Government

Finance Office Association awarding the City of San Diego with the Distinguished Budget Presentation Award for the City's Fiscal Year 1994 Final Budget. Council Member Stevens then recognized the second Black captain appointed to the force by the San Diego Police Department, as stated in the Voice and View Point Newspaper. He also reported that the Marriott was caught discriminating against 34 Black women who had applied for employment.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A419-508.)

ITEM-CC-3:

Comments by Mayor Golding regarding the addition of police officers to the San Diego Police Department, how crime has gone down in San Diego, and the Public Safety Ordinance.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A509-533.)

ITEM-30:

SUBJECT: Wild by Nature Day.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-87) ADOPTED AS RESOLUTION R-284287

Recognizing the accomplishments of Wild by Nature and commending all participants and organizers;
Proclaiming July 25, 1994 to be "Wild by Nature Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A640-B059.)

MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31:

SUBJECT: Disability Independence Day.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-65) ADOPTED AS RESOLUTION R-284288

Encouraging all citizens to join in appropriate observances recognizing the role of disabled employees in the work place and in all aspects of society; Proclaiming July 26, 1994 to be "Disability Independence Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B060-118.)

MOTION BY KEHOE TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-32:

SUBJECT: University Heights Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-95-86) ADOPTED AS RESOLUTION R-284289

Commending the residents of University Heights, and members of the University Heights Community Association and Community Development Corporation for their dedication to the preservation, beautification and activism of their community; Proclaiming July 23, 1994 to be "University Heights Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B119-183.)

MOTION BY KEHOE TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-33:

SUBJECT: Ben and Jerry's Scoop Shops of San Diego Day.

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-95-90) ADOPTED AS RESOLUTION R-284290

Recognizing Ben and Jerry's Scoop Shops of San Diego for the generous donation of over 9,000 complimentary ice cream scoop coupons, one for each and every City employee, in honor of America's Finest City Employees, National Ice Cream Month and America's Finest City Week;

Proclaiming July 25, 1994, to be "Ben and Jerry's Scoop Shops of San Diego Day" in San Diego;

Directing the City Auditor to distribute complimentary coupons from Ben and Jerry's Ice Cream to each City employee with paychecks on Friday, July 29, 1994.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B184-308.)

MOTION BY STEVENS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-34:

SUBJECT: Beach Boys Day.

COUNCILMEMBER STALLINGS' RECOMMENDATION:

Adopt the following resolution:

(R-95-54) ADOPTED AS RESOLUTION R-284291

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Recognizing the return of the Beach Boys to San Diego;
Proclaiming July 31, 1994 to be "Beach Boys Day" in San
Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A534-639.)

MOTION BY STALLINGS TO ADOPT. Second by Mathis. Passed by
the following vote: Mathis-yea, Roberts-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

ITEM-35:

SUBJECT: Jerry Coleman Day.

COUNCILMEMBER STALLINGS' RECOMMENDATION:

Adopt the following resolution:

(R-95-55) ADOPTED AS RESOLUTION R-284292

Recognizing the ongoing dedication of Jerry Coleman to
the San Diego Padres and the City of San Diego;
Proclaiming September 16, 1994 to be "Jerry Coleman
Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B309-370.)

MOTION BY STEVENS TO ADOPT. Second by Roberts. Passed by
the following vote: Mathis-yea, Roberts-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

ITEM-36: APPROVED

Approval of Council Minutes for the Meetings of:
06/20/94
06/21/94
06/23/94 Special Meeting
06/27/94
06/28/94

06/28/94 Special Joint Meeting

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B420-423.)

MOTION BY STALLINGS TO APPROVE. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-50:

SUBJECT: Streamlining and Efficiency Program (STEP)
Organizational Improvements.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 7/5/94.

(Council voted 8-0. District 2 not present):

(O-94-104 Cor. Copy) ADOPTED AS ORDINANCE O-18088 (New Series)

Amending the San Diego Municipal Code relating to the Formation of the Development Services Department, and the Reorganization of the Building Inspection Department, the Engineering and Development Department, the Neighborhood Code Compliance Department, and the Planning Department.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-100:

SUBJECT: Awarding a Contract for Welding Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1649) ADOPTED AS RESOLUTION R-284293

Awarding a contract to All Service Welding (Lemon Grove, CA) for furnishing welding services, as may be required for a period of one year beginning July 1, 1994 through June 30, 1995, at a cost of \$34.50 per worker hour, for a total estimated cost of \$69,000, with options to renew the contract for four additional one year periods, with price escalations not to exceed 5 percent in effect at the end of each prior contract year;

In the event the successful bidder fails to perform in accordance with specifications, the Purchasing Agent is authorized to terminate the contract and award to the next low bidder, and to subsequent bidders, if necessary, until a bidder is found who complies with specifications;

In the event no bidder is found who complies with specifications, the Purchasing Agent is authorized to obtain this service on the open market until the contract can be rebid.

(BID-P4339/94)

FILE LOCATION: CONT - Purchase - All Service Welding
(Lemon Grove, CA) CONTFY95-1

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-101:

SUBJECT: Awarding a Contract for Cabrillo Heights Neighborhood
Park Ballfield Lighting and Southcrest Community Park
Ballfield Lighting.
(Serra Mesa and Southeast San Diego Community Areas.
Districts-6 & 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-15) ADOPTED AS RESOLUTION R-284294

Awarding a contract to Creative Lighting Inc., (San Diego) for construction of various sportsfield and security lighting projects, for a total estimated cost of \$190,740;

Authorizing the Auditor and Comptroller to transfer not to exceed \$57,498 from PSD Fund No. 11390 and \$5,700 from PSD Fund No. 14000 to CIP-29-752.0, Cabrillo Heights Ballfield Lighting, and \$30,000 from PSD Fund No. 11660 to CIP-29-747.0, Southcrest Community Park Ballfield Lighting;

Authorizing the additional expenditure of the transferred funds, to supplement funds previously authorized by Resolution R-283253, adopted on January 10, 1994, for construction of various sportsfield and security lighting projects;

Stating for the record that the City of San Diego, as Lead Agency, has reviewed and considered the final environmental document DEP-90-0019BG. (BID-K94078)

CITY MANAGER SUPPORTING INFORMATION:

Cabrillo Heights Neighborhood Park is located at 8303 Hurlbut Street between Kearny Villa Road and Afton Road and Southcrest Community Park is located at 4199 Keeler Avenue between Alpha Street and Newton Avenue. Bids were received for lighting projects at these parks on March 9, 1994. The low bid by Creative Lighting Incorporated exceeded the consultant's estimate. Additional funds have been identified to supplement the funds previously authorized and awarding the contract is recommended.

Aud. Cert. 9401248.

FILE LOCATION: CONT - Creative Lighting Inc., (San Diego) CONTFY95-1

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-102:

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SUBJECT: Awarding Contracts for Eight Scooters and one Rotary
Mower.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1647) ADOPTED AS RESOLUTION R-284295

Awarding contracts for furnishing eight scooters and
one 15' rotary mower, with the option to purchase
additional equipment of the same type at the same cost
over the next six months for a total estimated cost of
\$127,431.65, including tax, as follows:

1) Western Turf (Escondido, CA), for Item 1, at a cost
of \$11,764.65;

2) A-1 Golf Cars of Escondido (Escondido, CA), for
Item 2, at a cost of \$63,290.50;

3) San Diego Turf and Irrigations, Inc. (San Diego),
for Item 3, at a cost of \$52,376.50;

Authorizing the expenditure of not to exceed
\$127,431.65 from Fund No. 8201/8203, Object Account No.
6013, Job Order No. 088093/088094/088073;

Authorizing the Auditor and Comptroller, upon advice
from the administering department, to transfer excess
budgeted funds, if any, to the appropriate reserves.

(BID-P4344/94)

Aud. Cert. 9500017.

FILE LOCATION: CONT - Purchase - Western Turf
(Escondido, CA); A-1 Golf Cars of
Escondido (Escondido, CA); San
Diego Turf and Irrigations, Inc. (San
Diego) CONTFY95-3

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-ineligible, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-103:

SUBJECT: Inviting Bids for the Construction of Audible
Pedestrian Traffic Signals and Machine Count Program

Detector Loops.
(Districts-1, 2, 3, 6 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-13) ADOPTED AS RESOLUTION R-284296

Inviting bids for the Construction of Audible
Pedestrian Traffic Signals and Machine Count Program
Detector Loops at Various Locations on Work Order No.
112281;
Authorizing a contract with the lowest responsible
bidder;
Authorizing the expenditure of not to exceed \$50,000
from CIP-52-243.0, AA-Architectural Barriers Removal,
Fund 18529, and \$20,000 from CIP-63-001.0, Fund 30300,
for providing funds for said project;
Authorizing the Auditor and Comptroller, upon advice
from the administering department, to retain excess
monies, if any, in CIP-52-243.0.
(BID-K95001M)

CITY MANAGER SUPPORTING INFORMATION:

The Committee for the Removal of Architectural Barriers has
identified existing signalized intersections that should receive
audible signals to aid the visually impaired to safely negotiate
these intersections. The identified locations were evaluated
using procedures set forth in Council Policy 200-16, "Audible
Pedestrian Traffic Signals for the Blind Intersection Evaluation
Procedure." Also included in this contract is the installation
of permanent machine count stations. The permanent machine count
stations are part of the City's Machine Count Program that counts
vehicular traffic on streets City-wide. The locations were
identified by the Traffic Engineering Division of the Engineering
and Development Department.
Aud. Cert. 9401202.

FILE LOCATION: W.O. 112281 CONT - Select Electric Inc.
CONTFY95-1

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-104:

SUBJECT: Inviting Bids for Construction of the North City Tunnel
Connector (CIP-42-910.8).
(University City Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1172) ADOPTED AS RESOLUTION R-284297

Inviting bids for the North City Tunnel Connector
Project NS-1/NRP-4B on Work Order No. 193580;
Authorizing a contract with the lowest responsible
bidder;
Stating for the record that the City as Lead Agency
under the California Environmental Quality Act of 1970,
has reviewed and considered the final Environmental
Impact Report DEP-90-0212 and Supplemental DEP-92-0613.
(BID-K94116)

CITY MANAGER SUPPORTING INFORMATION:

The North City Tunnel Connector is an integral part of the North City Water Reclamation Plant. The North City Tunnel Connector Project consists of a 2,000 foot long tunnel housing four pipelines. The first pipeline will be an 84-inch gravity flow sewer that will carry raw sewage from an existing sewer line to the North City Water Reclamation Plant. The second is a 54-inch effluent pipeline that will carry effluent from the plant to an existing sewer. The third is a 36-inch diameter reclaimed water distribution line that will carry reclaimed water from the North City Water Reclamation Plant to Genesee Avenue Reclaimed Water distribution system. The fourth is a 24-inch plant waste line that will discharge filter backwash water into the existing sewer. The tunnel will also house fiber optic conduits that will serve as primary communication lines for the treatment plants and pump stations in the San Diego area. A common tunnel for all of these pipelines and the communication line is the most economical alternative for connecting the North City Water Reclamation Plant, located east of I-805, with the sewer system and reclaimed water distribution system on the west side of I-805.

FILE LOCATION: W.O. 193580 CONT-J.F. Shea Company Inc.
CONFY95-1

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.

Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-105:

SUBJECT: Two actions related to Inviting Bids for the
Construction of Water Main Replacement Group 488.
(Mid-City Community Area. Districts-3 and 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-11) ADOPTED AS RESOLUTION R-284298

Inviting bids for the Construction of Water Main
Replacement Group 488 on Work Order No. 181001;
Authorizing a contract with the lowest responsible
bidder;
Authorizing the expenditure of not to exceed \$2,090,230
from Water Revenue Fund 41500, CIP-73-83.0, Annual
Allocation for Water Main Replacement, for said project
and related costs.
(BID-K95000)

Subitem-B: (R-95-12) ADOPTED AS RESOLUTION R-284299

Authorizing the use of City Forces to make
connections, install certain appurtenances, and perform
operational checks;
declaring that the cost of the work shall not exceed
\$183,030.

CITY MANAGER SUPPORTING INFORMATION:

Water Main Replacement Group 488 proposes to replace old,
deteriorated cast iron water mains in the Mid-City community
area. The project consists of the replacement of approximately
9,540 linear feet of water main and associated appurtenances.
This project is part of the City of San Diego's ongoing water
main replacement program.
Aud. Cert. 9400891.

FILE LOCATION: W.O. 181001 CONT - Dietrich Corporation
CONFY95-1

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-106:

SUBJECT: Inviting Bids for Construction of El Cajon Boulevard
Medians - Phase B - 30th Street to Illinois Street.
(Greater North Park Community Area. District-3.)
CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-14) ADOPTED AS RESOLUTION R-284300

Inviting bids for Construction of El Cajon Boulevard
Medians - Phase B - 30th Street to Illinois Street, the
current phase of CIP-39-201.0, on Work Order No.
119929;
Authorizing the execution of a contract with the lowest
responsible bidder;
Authorizing the City Auditor and Comptroller to
transfer \$301,000 of TransNet Fund 30300 from
CIP-52-560.0, El Cajon Boulevard - Texas Street to 39th
Street, to CIP-39-201.0, El Cajon Boulevard Commercial
Revitalization - Texas Street to Illinois Street;
Authorizing the expenditure of \$301,000 from
CIP-39-201.0, TransNet Fund 30300;
Authorizing the transfer of \$150,193 from CIP-39-201.0,
TransNet Bond Fund 30302, to CIP-39-209.0, El Cajon
Boulevard -Interstate 805 to 54th Street;
Authorizing the transfer of \$150,000 from CIP-39-207.0,
North Park Commercial Revitalization Project Public
Requirements, TransNet Bond Fund 30302, to
CIP-39-209.0;
Authorizing the transfer of \$265,000 and related
expenditure, from CIP-52-560.0, TransNet Fund 30300, as
follows: \$49,618 to the 30th Street to Illinois Street
phase of CIP-39-201.0, \$150,000 to the Texas Street to
30th Street phase of CIP-39-201.0, and \$65,382 to
CIP-39-209.0, and authorizing the closeout of
CIP-52-560.0;
Authorizing the Auditor and Comptroller, upon advice
from the administering department, to transfer excess
budgeted funds, if any, from the El Cajon Boulevard
Median Improvements Project - 30th to Illinois Street,

the current phase of CIP-39-201.0, to the appropriate reserves.
(BID-K95002)

CITY MANAGER SUPPORTING INFORMATION:

This project is the latest phase of an ongoing program to landscape center medians and improve intersections along El Cajon Boulevard in the Greater North Park area. Previously completed projects are between Park Boulevard and Texas Street and between Illinois Street and Interstate Freeway 805. The presently proposed project would reconstruct the center median of two blocks of El Cajon Boulevard between 30th Street and Illinois Street, install jacaranda trees and other ornamental plants in the median and install an 'S' median in the intersection of Ohio Street. The 'S' median would prevent hazardous left turns and through movements from the minor side street (Ohio) but allow left-turns and U-turns from El Cajon Boulevard. The project design is supported by the El Cajon Boulevard Gateway Business Improvement Association. Community Development Block Grant funding to begin design of the currently proposed project was approved by City Council in July, 1990. On May 17, 1993, Council approved the allocation of \$750,000 in TransNet funds for various projects on El Cajon Boulevard in the Greater North Park and Mid-City areas. Of that amount, \$49,618 was previously authorized for design, staff and related costs of this project. An additional \$301,000 is proposed to be authorized for construction costs of this project. The project will be maintained through an already established landscape maintenance district. In addition, actions are proposed to reimburse the El Cajon Boulevard Median Improvements Project, east of I-805, with \$150,000 of TransNet Bond funds from the North Park Public Improvements Project. A previous Council action transferred \$150,000 in TransNet cash from the El Cajon Boulevard Project to the North Park project. Transfers are also proposed to establish separate budgets for El Cajon Boulevard improvements on both sides of Interstate 805 and to eliminate a redundant CIP for El Cajon Boulevard, CIP-52-560.0.
Aud. Cert. 9401201.

FILE LOCATION: W.O. 119929 CONT - Wier Construction Corporation CONTFY95-1

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-107:

SUBJECT: Two actions related to Carmel Del Mar Neighborhood 4
Unit 13 Final Map.
(A 49-lot subdivision located east of Carmel Country
Road and Carmel Canyon Road. Carmel Valley Community
Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-110) ADOPTED AS RESOLUTION R-284301

Authorizing a Subdivision Improvement Agreement with
the Baldwin Building Company for the installation and
completion of certain public improvements.

Subitem-B: (R-95-109) ADOPTED AS RESOLUTION R-284302

Approving the final map.

FILE LOCATION: SUBD - Carmel Del Mar Neighborhood 4 Unit
13 Final Map CONFY95-1

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-108:

SUBJECT: Approving Map of Amended Map of N.C.W. Neighborhood 7,
Unit 16.
(A 9-lot subdivision located at the northeast corner of
El Camino Real and Half Mile Drive. Carmel Valley
Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-37) ADOPTED AS RESOLUTION R-284303

Approving the Map of Amended Map of N.C.W. Neighborhood
7, Unit 16.

FILE LOCATION: SUBD - N.C.W. Neighborhood 7, Unit 16.

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-109:

SUBJECT: Street Dedication of Hillside Drive.
(Located on the west side of Hillside Avenue, south of
Soledad Avenue. La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-2016) ADOPTED AS RESOLUTION R-284304

Accepting the deed of Roger S. Benson and Judith R.
Benson, granting to the City an easement for public
street purposes in a portion of Lot A of the Amended
Map of La Jolla Hills No. 2, Map-2087; dedicating and
naming the same Hillside Drive.

FILE LOCATION: DEED F-6329 DEEDFY95-1

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-110:

SUBJECT: AmeriCorps Planning Grant.
(Districts-3,5, & 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-2011) ADOPTED AS RESOLUTION R-284305

Authorizing the City Manager to apply for, accept and expend a planning grant from the Federal Corporation for National and Community Service via the California Commission on Improving Life Through Service titled "IMPACT (Innovation, Motivation, Participation and Action for Community Triumph) San Diego."

CITY MANAGER SUPPORTING INFORMATION:

The 1993 National and Community Service Trust Act created the Corporation for National and Community Service, which makes grants via the California Commission on Improving Life Through Service for community service programs, including AmeriCorps. The purpose of AmeriCorps is to place college-age youth in community service positions to empower communities to address human, public safety, environmental, and educational needs. Included in these formula grants are planning grants to support a one-year planning period to develop partnerships and create a plan for a full service AmeriCorps program application. The City of San Diego, in partnership with the San Diego Mediation Center, Youth Economic Enterprise Zones Program, and Safe Haven, has developed a proposal for a planning grant. Grant funds will be used to hire and train a Community Development Specialist to manage the planning process, and develop a plan and grant proposal for FY 1995 funding.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: J112-124.)

MOTION BY STEVENS TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-111:

SUBJECT: Additional Project Funding for the Hoist System
Replacement at Pump Station Nos. 1 and 2 Project.
(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-78) ADOPTED AS RESOLUTION R-284306

Authorizing the Auditor and Comptroller to transfer not to exceed \$20,000 from CIP-46-117.0, Sewer Pump Station 65, Expansion and Force Main, Sewer Revenue Fund 41506 to CIP-46-119.0, Annual Allocation, Point Loma Wastewater Treatment Plant, Sewer Revenue Fund 41508; Authorizing the expenditure of not to exceed \$20,000 from CIP-46-119.0, Annual Allocation, Point Loma Wastewater Treatment Plant, to supplement funding previously authorized on September 13, 1993 by Resolution R-282569, for the Air Hoist Systems Replacement at Pump Station Nos. 1 and 2.

CITY MANAGER SUPPORTING INFORMATION:

The original project was for replacing the air hoist systems at Pump Stations Nos. 1 and 2. Currently, we are negotiating construction change orders covering additional concrete coring and beam connection modifications.

In addition, there may be other smaller items that are as yet unidentified. This request for additional supplemental funding will be used to fund these anticipated future change orders. This project is not federally funded and therefore has no EPA "Fair Share" DBE requirements.

Aud. Cert. 9500044.

WU-CWP-94-176.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-112:

SUBJECT: Settlement of the Property Damage claim of Patricia Aaron.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-43) ADOPTED AS RESOLUTION R-284307

A Resolution approved by the City Council in Closed Session on Tuesday, June 28, 1994 by the following vote: Mathis-yea; Roberts-yea; Kehoe-not present; Stevens-not present; Warden-yea; Stallings-yea; McCarty-yea; Vargas-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum up to but not to exceed \$70,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the property damage to Patricia Aaron et al. (Superior Court Case No. 669393, Patricia Aaron, et al. v. City of San Diego, et al.); Authorizing the City Auditor and Comptroller to issue one check in the amount to be determined from negotiations made payable to Patricia Aaron, et al. and their attorney of record, Mark J. Speck.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the projected settlement of the property damage claims of Carlton Aaron, et al. as a result of the incident which occurred on August 24, 1992.
Aud. Cert. 9500029.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-113:

SUBJECT: Settlement of the Personal Injury Claim of Sandra Angotti.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-80) ADOPTED AS RESOLUTION R-284308

A Resolution approved by the City Council in Closed Session on Tuesday, June 21, 1994 by the following

vote: Mathis-yea; Roberts-not present; Kehoe-yea;
Stevens-not present; Warden-yea; Stallings-yea;
McCarty-yea; Vargas-not present; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$46,440 in the settlement of each and every claim against the City, its agents and employees, resulting from personal injuries to Sandra Angotti (Superior Court Case No. 668083, Sandi B. Angotti v. City of San Diego, et al.);
Authorizing the City Auditor and Comptroller to issue one check in the total amount of \$46,440 made payable to Sandra Angotti and her attorney of record, Dave Carothers, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the complete and final settlement of the personal injury claim of Sandra Angotti against the City of San Diego, its agents and employees, as a result of an incident which occurred on October 28, 1991.

Aud. Cert. 9401274.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-114:

SUBJECT: Settlement of the Personal Injury Claim of Dennis Hampton, et. al.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-2035) ADOPTED AS RESOLUTION R-284309

A Resolution approved by the City Council in Closed Session on Tuesday, June 28, 1994 by the following vote:
Mathis-yea; Roberts-yea; Kehoe-yea; Stevens-not present;

Warden-yea; Stallings-nay; McCarty-yea; Vargas-yea;
Mayor-nay.

Authorizing the City Manager to pay the total sum of \$450,000 in the settlement of each and every claim against the City, its agents and employees, resulting from an incident which occurred on January 17, 1992, Dennis Hampton and Sunyo Hampton (Superior Court Case No. 652716, Dennis Hampton, et al v. City of San Diego, et al.);
Authorizing the City Auditor and Comptroller to issue one check in the total amount of \$450,000 made payable to Dennis Hampton and Sunyo Hampton and their attorney, Harvey R. Levine, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the complete and final settlement of the personal injury claim of Dennis and Sunyo Hampton against the City of San Diego, its agents and employees, as a result of an incident which occurred on January 17, 1992.
Aud. Cert. 9401264.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: J125-133.)

MOTION BY VARGAS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-115:

SUBJECT: Settlement with Metro Arson Strike Team Employees over a Fair Labor Standards Act Claim.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-2036) ADOPTED AS RESOLUTION R-284310

Authorizing the Auditor and Comptroller to establish annual leave banks of \$71,811.46 which would allow each affected employee of Local 145 to draw a limited number of annual leave hours for conversion into cash payments

each fiscal year.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the complete and final settlement of all claims against the City of San Diego by the seven identified employees of the Metro Arson Strike Team for back-pay overtime payments under the Fair Labor Standards Act.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-116:

SUBJECT: Settlement of the Personal Injury Claims of James Wade,
et al.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1963) ADOPTED AS RESOLUTION R-284311

A Resolution approved by the City Council in Closed Session on Tuesday, May 31, 1994 by the following vote: Mathis-yea; Roberts-yea; Kehoe-yea; Stevens-yea; Warden-yea; Stallings-yea; McCarty-yea; Vargas-yea; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$133,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injuries to James, Denise, Joshua and Alicia Wade (Superior Court Case No. 653018, Wade v. City of San Diego, et al.);

Authorizing the City Auditor and Comptroller to issue five checks, totalling \$133,000, made payable to the following for the listed amounts:

- 1) James Wade and his attorney, Milton J. Silverman, for \$33,250;
- 2) Denise Wade and her attorney, Milton J. Silverman, for \$33,250;
- 3) Clerk of the Superior Court (Alicia Wade), for

\$22,610;
4) Clerk of the Superior Court (Joshua Wade), for
\$22,610;
5) Structured Settlement Trust (Alicia Wade and Joshua
Wade), for \$21,280 in full settlement of the lawsuit
and of all claims.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the complete and final settlement of the
personal injury claim of James, Denise, Joshua and Alicia Wade
against the City of San Diego, its agents and employees, as a
result of an incident which occurred on May 8, 1989.
Aud. Cert. 9401225.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-117:

SUBJECT: Budget Actions for the Proposed Fiscal Year 1995
Southeastern Economic Development Corporation Budget
(Reloans).
(See memo from Southeastern Economic Development
Corporation dated 7/25/94. District-4.)

SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-95-52) ADOPTED AS RESOLUTION R-284312

Accepting \$65,000 as a loan repayment from the Mt. Hope
Redevelopment Project for sales tax loaned to the
Redevelopment Agency; appropriating \$65,000 to be
loaned back to the Agency to be used in the Fiscal Year
1994-95 Dells/Imperial Study Area budget for
implementation costs;
Accepting as a loan repayment from the Mt. Hope
Redevelopment Project, \$722,000 in Community
Development Block Grant (CDBG) funds; appropriating
\$722,000 to be loaned back to the Agency to be used in

the Fiscal Year 1994-95 Project Budget for project implementation costs to augment the following project areas:

a. Central Imperial Redevelopment Area in the amount of the following for project implementation costs:

Fund No.	Fund Name	Amount
98770	Central Imperial	\$166,000
9877XX	Central Imperial Low/Moderate	53,000
9877XX	Lincoln High Site	147,000
9877XX	Langley Site Rehab	105,000
9877XX	Industrial Site Acquisition	12,000
	Total	\$483,000

b. Dells/Imperial Study Area in the amount of \$239,000 for project implementation costs;

Transferring \$787,000 to the Agency as an interest-bearing loan, to be used in the Fiscal Year 1994-95 Southeastern Economic Development Corporation (SEDC) Project Budget for project implementation costs; Directing the Auditor and Comptroller to record the above-indicated loan of \$787,000 as an interest bearing loan to the Agency, to be repaid as soon as practicable from tax increment or other appropriate revenues.
Aud. Cert. 9500016.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B424-C050.)
CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-118:

SUBJECT: Redistribution of \$592,000 surplus from the San Diego Data Processing Corporation FY 1994 Budget.

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Adopt the following resolution:

(R-95-96) NOTED AND FILED

Redistributing surplus funds from the San Diego Data Processing Corporation Budget, as follows:

1) Restoration of City Clerk reductions of

(\$84,900) and adding one Stock Clerk (\$33,000) for the City Clerk from the Unfunded Needs List.

2) Special Promotional Program to fund the following projects as identified from the Unfunded Needs List:

a) San Diego Sportsfishing Association:
\$87,500.

b) Promote La Jolla/La Jolla Arts Festival:
\$20,000.

3) Special Promotional Program to fund an additional \$30,000 to the Starlight Musical Theatre.

4) Restoration of \$20,000 as identified from the Unfunded Needs List to the BRAC program of the Greater San Diego Chamber of Commerce.

5) Restoration of \$42,000 as identified from the unfunded Needs List for one position in the Office of Small Business.

6) Directing the City Manager to work with the City Attorney and the San Diego Data Processing Corporation to apply the balance of \$284,600 towards technology upgrades as part of the current City Manager, City Attorney, City Council, and Mayor (including Intergovernmental Relations) computer system upgrades.

Directing the City Attorney to prepare an amendment to the annual appropriations ordinance to reflect the redistribution of the surplus funds as indicated above.

SUPPORTING INFORMATION:

ACTION ITEMS:

1) Directing restoration of City Clerk reductions \$84,900 and adding one Stock Clerk \$33,000 from the City Clerk from the Unfunded Needs List.

2) Directing funds to the Special Promotional Program to fund the following projects as identified from the Unfunded Needs List:

a) San Diego Sportsfishing Association: \$87,500.

b) Promote La Jolla/La Jolla Arts Festival: \$20,000.

3) Directing funds to the Special Promotional Program to fund an additional \$30,000 to the Starlight Musical Theatre.

4) Directing restoration of \$20,000 as identified from the Unfunded Needs List to the BRAC program of the Greater San Diego Chamber of Commerce.

5) Directing restoration of \$42,000 as identified from the Unfunded Needs List for one position in the Office of Small Business.

The above items, 1 through 5 total \$317,400. The balance of available funds totals \$274,600.

6) Directing the City Manager to work with the City Attorney

and the San Diego Data Processing Corporation to apply the balance of \$284,600 towards technology upgrades as part of the current City Manager, City Council and Mayor including Intergovernmental Relations) grades.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H355-J111.)

Motion by McCarty to: 1) Take half of \$1.7 million to cover the unfunded needs list; 2) Restore the stock position in the City Clerk's Office; and 3) Restore the BRAC program. Second by Roberts. Vote not taken.

Motion by McCarty to amend the City Manager's recommendation to incorporate Item 118 which spends \$317,000 and then to return the rest of the portion, \$274,000, to the City Manager. No second.

Motion by Stevens to amend Ms. McCarty's motion to accept everything in her motion including the restoration of the Records Center and the stock clerk position in the City Clerk's Office but excluding the following: 1) San Diego Sportsfishing for \$87,500; 2) Promote La Jolla for \$20,000; 3) Special Promotional Program for \$30,000; 4) BRAC program for \$20,000; and 5) Office of Small Business for \$42,000. No second.

Motion by McCarty to withdraw motion.

Motion by Stevens to adopt the City Manager's recommendation with the addition of the restoration of the Records Center and the stock clerk position in the City Clerk's Office. Second by McCarty. Failed by the following vote: Yeas-1,4,7,8. Nays-2,3,5,6,M. Not present-none.

MOTION BY STALLINGS TO NOTE AND FILE ITEM 118 AND TO APPROVE MANAGER'S RECOMMENDATION FOR ITEM 210 WITH DIRECTION TO THE CITY MANAGER TO PREPARE ANNUAL APPROPRIATION ORDINANCE. Second by Kehoe. Passed by the following vote: Mathis-yea, Roberts-nay, Kehoe-yea, Stevens-yea, Warden-nay, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-119:

SUBJECT: Community Facilities District No. 1 - Annual Special Tax Levy.

(Miramar Ranch North Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-79) ADOPTED AS RESOLUTION R-284313

Establishing the special tax to be levied in the 1995 Fiscal Year for Community Facilities District No. 1, Miramar Ranch North, in accordance with the City Manager's recommendation, to wit: residential property, \$0.92 per square foot; industrial property, \$12,000 per acre; undeveloped property, \$3,492.82 per acre.

CITY MANAGER SUPPORTING INFORMATION:

In 1991, the City Council adopted resolutions which established the formation of Community Facilities District (CFD) No. 1, authorized the issuance of limited obligation improvement bonds to finance public infrastructure in or serving the district, and approved the annual levy of a special tax in an amount sufficient to pay yearly debt service on the district's outstanding bonds. This Council action would establish the specific rates, apportionment and total amount of special tax to be levied and collected on property within the boundaries of CFD No. 1 for the 1995 Fiscal Year. The annual rate and apportionment of special tax was first approved in July 1992 and will be presented to Council for consideration each year until final maturity of all bonds in the district. Based on debt service needs for the upcoming calendar year, an aggregate amount of \$3,288,644.28 in special taxes should be levied against parcels of land within the district. Consistent with the established procedure for determining the special tax rate applied to individual parcels, all taxable property has been classified into one of the following land use categories:

Land Use Category	Total Area	Special Tax Rate	Special Tax
Residential	149,100/s.f.	\$ 0.92/s.f.	\$ 137,172.00
Industrial	2.700/acre	\$12,000/acre	\$ 32,400.00
Undeveloped	892.995/acre	\$ 3,492.82/acre	\$3,119,072.28
		Total	\$3,288,644.28

The special taxes will be billed and collected in the same manner as ordinary ad valorem property taxes. Monies received in the form of special taxes will be used to pay next year's annual principal and interest due on the bonds, maintained the appropriate balance in the reserve account, and pay costs incurred by the City and the district in administering the special tax levy.

FILE LOCATION: STRT CF-1

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-120:

SUBJECT: Foreign Trade Zone.
(District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-73) CONTINUED TO AUGUST 1, 1994

Authorizing an agreement with Metro International Trade
Services, Inc. for the operation of the San Diego
Foreign Trade Zone #153;
Authorizing the City Manager or a designee from
Economic Development Services to take any and all
actions necessary to carry out the terms of the
Agreement.

CITY MANAGER SUPPORTING INFORMATION:

On April 25, 1994, Cal Cartage, the current Foreign Trade Zone
(FTZ) operator, notified the City that they would exercise their
option and cease operations effective July 31, 1994. As a
result, staff advertised a request for proposals and established
a selection committee composed of representatives from the
Greater San Diego Chamber of Commerce, the Southwestern College
Small Business Development & International Trade Center, the Otay
Mesa Chamber of Commerce and City staff from Brown Field. Five
firms responded to the RFP. Two of the five proposals were
considered non-responsive to the RFP criteria. Three firms were
interviewed: Metro International, Weber Distribution and IMS
Worldwide. The choice of the Committee and the recommendation of
the Manager is Metro International for the following reasons:

- They have demonstrated experience operating a zone. They
currently operate the Long Beach and Detroit FTZs.
- They are judged most able to assume zone operation in the
shortest period of time.
- They were most responsive to the RFP criteria including

continuing a general purpose operation on Otay Mesa, no need for a City subsidy and providing a reasonable return to the City and good proposals for operation and marketing.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: J134-310.)

MOTION BY STEVENS TO CONTINUE TO AUGUST 1, 1994 AT HIS REQUEST TO GET INVOLVEMENT FROM OTHER PEOPLE. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-121:

SUBJECT: Agreement with California Integrated Waste Management Board for the San Diego Recycling Market Development Zone.
(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-82 Cor.Copy 08/16/94) ADOPTED AS RESOLUTION R-284314

Authorizing an agreement with the California Integrated Waste Management Board to promote the San Diego Recycling Market Development Zone through development of marketing and promotional materials and to develop a recycling market development database;
Authorizing the expenditure of not to exceed \$24,470 from Waste Management Enterprise Fund 41200, with the amount to be reimbursed by the California Integrated Waste Management Board.

CITY MANAGER SUPPORTING INFORMATION:

On April 4, 1994, staff from the Waste Management Department and Economic Development Services received an RFP from the California Integrated Waste Management Board (CIWMB) for proposals to further promote and/or improve assistance for the San Diego Recycling Market Development Zone (RMDZ), located in Otay Mesa, with funding from the State in an amount not to exceed \$25,000. Staff responded on April 25 with a proposal to perform the following services, with costs to be reimbursed by the CIWMB:

- The development and printing of promotional information about

the San Diego RMDZ;

- Advertising to promote the RMDZ and San Diego recycled product manufacturers;

- The creation of a recycling market development database, which would be used to provide feedstock supply information to recycled product manufacturers looking to site in the RMDZ.

On May 31, 1994, the CIWMB notified the Waste Management Department of the acceptance of the San Diego RMDZ project proposal, pending the signing of a contract with the State and authorization from the City Council in the form of a resolution. Acceptance of these funds will greatly enhance the City's promotional efforts for the RMDZ, as well as significantly increase the support available to recycled product manufacturers interested in establishing or expanding local operations. Aud. Cert. 9500047.

FILE LOCATION: MEET CONTFY95-1

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-122:

SUBJECT: Four actions related to Suggestion Awards.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions authorizing Suggestion Awards to City Employees:

Subitem-A: (R-95-39) ADOPTED AS RESOLUTION R-284315

Federico A. Lucero, Jr. - Fire Department - \$500

Subitem-B: (R-95-40) ADOPTED AS RESOLUTION R-284316

Jill A. Murray - Fire/Training - \$82.50

Subitem-C: (R-95-41) ADOPTED AS RESOLUTION R-284317

William M. Lutes - Auditor's/Accounting Operations - \$48.70

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Subitem-D: (R-95-42) ADOPTED AS RESOLUTION R-284318

Joe Rainbolt - Waste Management - \$251.10

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-123:

SUBJECT: Excusing Deputy Mayor Stevens from the Council Meetings
of 6/27/94 and 6/28/94.

DEPUTY MAYOR STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-95-58) ADOPTED AS RESOLUTION R-284319

Excusing Deputy Mayor George Stevens from attending the
regularly scheduled Council meetings of June 27 and
June 28, 1994, due to a trip to Washington, D.C. to
meet with the President of the United States to discuss
City business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: J311-320.)

MOTION BY WARDEN TO ADOPT. Second by Mathis. Passed by the
following vote: Mathis-yea, Roberts-yea, Kehoe-not present,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present,
Vargas-yea, Mayor Golding-yea.

* ITEM-124:

SUBJECT: Robert D. "Skip" Regan Day.

DEPUTY MAYOR STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-95-66) ADOPTED AS RESOLUTION R-284320

Commending Mr. Robert D. "Skip" Regan for all of his
commitment and devotion to the City of San Diego;
Proclaiming July 14, 1994 to be "Mr. Robert D. 'Skip'
Regan Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-125:

SUBJECT: First Amendment to the Agreement with Airport
Corporation of America for Special Consultant Services.
(Districts-5 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1933) ADOPTED AS RESOLUTION R-284321

Authorizing the execution of a first amendment to the
agreement with Airport Corporation of America (ACA),
for special travel and consultant services in
conjunction with the Economic Rent Study for aviation
businesses at Montgomery and Brown Fields;
Authorizing the expenditure of not to exceed \$11,716.22
from Airports Fund 41100 for this purpose.

CITY MANAGER SUPPORTING INFORMATION:

The City Council approved an agreement with Airport Corporation
of America (ACA) to prepare an Economic Rent Study of aviation
businesses at Brown and Montgomery Fields at a maximum cost of
\$40,650. Another agreement with ACA was approved by the City
Manager to draft Minimum Standards and a Commercial Operating
Permit for each airport at a maximum cost of \$3,500. The work
was completed and the material was delivered. On four occasions
subsequent to the study's completion, John Kennedy, President of

ACA, was requested by the City to travel to San Diego from New Jersey to present supplemental information regarding implementation of the Economic Rent Study, minimum standards and commercial operating permit, and to share his expertise with the Public Facilities and Recreation Committee, the Airport Advisory Committee, aviation tenant groups, and other public officials. The special trips also generated additional work for ACA. All of these activities were outside of the Scope of Work for the Economic Rent Study, Minimum Standards, and Commercial Operating Permit. Processing of this amendment was delayed first at the request of ACA and secondly to make sure no other costs would be incurred. It is recommended that the City Manager be authorized to execute the First Amendment to the Agreement to reimburse ACA for actual expenses for four special trips to San Diego (\$6,520.37), plus actual costs of additional work completed after February 19, 1993 (\$5,196.25) for a total of \$11,716.22. Aud. Cert. 9401160.

FILE LOCATION: MEET CCONTFY95-1

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-126:

SUBJECT: Renewal Agreement with the County of San Diego
Probation Department.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-33) ADOPTED AS RESOLUTION R-284322

Authorizing an agreement with the County of San Diego Probation Department, to extend the existing agreement (Document No. RR-278955) for one year (Fiscal Year 1994-95), to continue to provide personnel to clean City-owned property;
Authorizing the expenditure of an amount not to exceed \$260,600 from the Waste Management Department/Services Division, Fund 41200, Dept. 751, Job Order No. 7732, for the above project.

CITY MANAGER SUPPORTING INFORMATION:

Since July 1984 the City has entered into agreements with the County of San Diego Probation Department to utilize Probation Department crews to clean City-owned property. This is a request to continue the agreement and authorize expenditures for an additional year. (Agreement Document No. RR-278955). Under this agreement, the County will supply crews of 12 or more persons with a supervisor to assist the Waste Management Department with cleaning trash and weeds from along roadways, open space areas, and the Miramar Landfill. The City will supply a lead person to designate the worksite and monitor the work. The cost to the City will be \$310 per crew per day.
Aud. Cert. 9500018.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-127:

SUBJECT: Industrial Hygiene Contract Extension.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-89) ADOPTED AS RESOLUTION R-284323

Authorizing the execution of an extension to the agreement with the County of San Diego to renew the industrial hygiene services, for a 90 day period from July 1, 1994 through September 30, 1994;
Authorizing the expenditure of not to exceed \$6,000 from Fund 50061, Account No. 4222 for this purpose.
Aud. Cert. 9500050.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea,

Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-128:

SUBJECT: First Responder Hazardous Materials Business Plans.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-56) ADOPTED AS RESOLUTION R-284324

Authorizing a second amendment to the agreement with the County of San Diego, to allow the San Diego Fire Department Hazardous Materials Response Team to format First Responders Hazardous Materials Business Plans, and providing for the reimbursement of the costs of this service from July 1, 1994 to June 30, 1995.

CITY MANAGER SUPPORTING INFORMATION:

On October 19, 1992, the City of San Diego entered into an agreement with the County of San Diego, allowing the Fire Department Hazardous Material Response Team to format First Responder Hazardous Materials Business Plans, with costs to be reimbursed to the City. San Diego Fire Department has begun the conversion of multi-page County Health Department hazardous materials business plans to a single page format. This format is used by first responders at emergency incidents which involve hazardous materials. The proposed second amendment to the existing agreement extends the conversion process to June 30, 1995. The County of San Diego will reimburse the City for the costs of this project, on a quarterly basis.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-129:

SUBJECT: One-Year Lease Agreement with the Federal Aviation
Administration (FAA) - Traffic Control Tower at Brown
Field Airport.
(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-36) ADOPTED AS RESOLUTION R-284325

Authorizing a one-year lease agreement, with nine
one-year options to renew, with a 180-day cancellation
clause that can be exercised by either party, with the
Federal Aviation Administration (FAA) for approximately
21,025 square feet of land and traffic control tower at
Brown Field Airport, with consideration during the
lease term to include the establishment, operation and
maintenance of the facilities for the control of air
traffic for the benefit of the public.

CITY MANAGER SUPPORTING INFORMATION:

The Federal Aviation Administration (FAA) has been a tenant at
Brown Field Airport since June 1972. The current lease includes
approximately 21,025 sq.ft. of land. The FAA built an Air
Traffic Control Tower on the site and maintains and operates the
Tower. The current lease is on holdover status. The FAA has
requested the City to renew the lease on an annual basis with
nine one-year options to be exercised by the FAA. Staff concurs
with the FAA and is proposing a lease term of one year with nine
one-year options, for a total of 10 years. The lease will
contain a 180-day cancellation clause, that can be exercised by
either party. Consideration during the term of the lease
including options is the establishment, operation and maintenance
of the facilities for the control of air traffic for the benefit
of the public, all at no cost to the City. The FAA, as an agency
of the U.S. Government, is subject to a comprehensive
anti-discrimination program.

FILE LOCATION: LEAS - Federal Aviation Administration
(FAA) - Traffic Control Tower at Brown
Field Airport LEASFY95-1

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-130:

SUBJECT: Agreement for Safety Footwear.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-92) ADOPTED AS RESOLUTION R-284326

Authorizing an agreement with Industrial Safety Shoe, Inc., for the provision of American National Safety Institute rated safety footwear for City employees working in areas where foot hazards exist, for a one-year period beginning August 1, 1994 through July 31, 1995;

Authorizing the expenditure of not to exceed \$175,000 from Fund 100, Account Nos. 9544 and 3243.

CITY MANAGER SUPPORTING INFORMATION:

In 1990, the City established its Safety Footwear Program to guard against serious foot injuries to employees in the workplace, and to attain compliance with the General Industry Safety Orders (GISO), Section 3385. Since that time, the City has maintained contracts with Industrial Safety Shoe, Inc. and Boot World for provision of the footwear. After the recently completed RFP process, it was determined that a contract with the highest ranked respondent (Industrial Safety Shoe, Inc.) would be the most beneficial to City departments in hard dollar savings. Industrial Safety Shoe, Inc. agreed to additional discounts and extended warranties on most models that, when implemented, should reduce footwear related expenditures by approximately \$50,000 annually. Industrial Safety Shoe's condition for these additional discounts and warranties is an exclusive contract with the City for footwear. It is recommended that the contract with Industrial Safety Shoe, Inc. be approved as submitted. A request for proposals (RFP) for the provision of ANSI approved safety footwear was issued to 9 firms. The RFP was advertised in the Union-Tribune, Voice & Viewpoint, Asian Journal, La Prensa and Daily Transcript. Three of the firms submitted proposals. Industrial Safety Shoe, Inc., Boot World and Red Wing of Escondido (eliminated because it did not have a store front within 25 miles of the Civic Center) were evaluated by the Consultant Selection Committee composed of staff from both the Risk Management and Water Utilities Departments. The evaluation criteria included costs, warrantee, location, styles and quality of product, reporting capabilities and commitment to equal

opportunity. Industrial Safety Shoe, Inc. received the highest ratings from the evaluation committee.
Aud. Cert. 9500051.

FILE LOCATION: CONT - Purchase - Industrial Safety Shoe,
 Inc. CONTFY95-1

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-131:

SUBJECT: First Amendment to Agreement with Lettieri-McIntyre and
Associates for the North Torrey Pines Road Bridges Over
Los Penasquitos Creek and San Diego Northern Railway.
(North Torrey Pines Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-64) ADOPTED AS RESOLUTION R-284327

Authorizing a First Amendment to Agreement with
Lettieri-McIntyre and Associates for the preparation of
the environmental document for the North Torrey Pines
Road Bridges Over Los Penasquitos Creek and San Diego
Northern Railway;
Authorizing the increase of not to exceed \$125,000 to
CIP-52-557.0, North Torrey Pines Road Bridge Over San
Diego Northern Railway from Gas Tax Bridge Maintenance
Fund 30219;
Authorizing the expenditure of an amount not to exceed
\$125,000 from CIP-52-557.0, North Torrey Pines Road
Bridge Over San Diego Northern Railway, for the purpose
of funding the above agreement.

CITY MANAGER SUPPORTING INFORMATION:

On February 8, 1993, per Resolution R-281449, the City Council
approved a Consultant Services Agreement with Lettieri-McIntyre
and Associates for the preparation of the environmental document
for the North Torrey Pines Road Bridge Replacement Project Over
Los Penasquitos Creek. While work was progressing on the

environmental document, the Federal Highway Administration, the agency which has final authorization for the construction of this Federally Funded Project, recommended that the North Torrey Pines Road Bridge over the San Diego Northern Railway also be included in the environmental document. Since the area of potential effect for the North Torrey Pines Road Bridge Over Los Penasquitos Creek is contiguous to the area of potential effect for the North Torrey Pines Road Bridge over the San Diego Northern Railway, it is proposed to amend the agreement with Lettieri-McIntyre and Associates to include both of the bridges. They will expand on work they have already completed, which will result in an environmental document being completed at the earliest possible time.
Aud. Cert. 9401272.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-132:

SUBJECT: Agreement with San Diego Gas and Electric Company to
Provide Electrical Service to Pump Station No. 65
Expansion.

(Torrey Pines Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-44) ADOPTED AS RESOLUTION R-284328

Authorizing an agreement with San Diego Gas and Electric Company to provide a primary and an alternate power source to Pump Station No. 65 Expansion at a cost not to exceed \$17,912;
Authorizing the expenditure of not to exceed \$17,912 from Metro Sewer Utility Fund No. 41506, CIP-46-117.0;
Stating for the record that the City of San Diego as lead agency, has reviewed and considered the final Environmental Impact Report DEP-88-0495, dated June 15, 1990, adopted on September 10, 1990, by Resolution R-17491 and addendum, DEP-91-0665, dated July 7, 1992,

adopted August 10, 1992, by Resolution R-280540 and addendum, DEP-92-0681, dated April 13, 1993, adopted May 3, 1993, by Resolution R-281904.

CITY MANAGER SUPPORTING INFORMATION:

On January 3, 1994, the City Council authorized the construction of Pump Station No. 65 and Force Main by Resolution R-283209. The project consists of replacing the existing Pump Station No. 65 and Force Main in the Penasquitos Lagoon. New facilities will be located at the fringe of the lagoon and in Sorrento Valley Road. Operation of the pump station requires a primary and a standby electrical power source. With this contract SDG&E will provide electrical services to Pump Station No. 65. Aud. Cert. 9500024. WU-CWP-94-179.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-133:

SUBJECT: San Ysidro Revitalization Project.
(San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-61) CONTINUED TO SEPTEMBER 12, 1994

Authorizing an agreement with the San Ysidro Revitalization Project, Inc., for specified economic development activities;
Authorizing the expenditure of not to exceed \$100,000 from Fund 18530, Dept. 4070, Org. 7012.

CITY MANAGER SUPPORTING INFORMATION:

San Ysidro Redevelopment Project, Inc. (SYRP) was established by the City Council in May 1989 and governed by an operating agreement with the City. The City is the sole member of SYRP and

appoints the nine-person Board of Directors (Board). The Board was established to provide a community-based organization to implement various economic development activities such as job development, community revitalization and rehabilitation, including assisting with redevelopment activities and projects. For Fiscal Year 1995, the City Council has approved \$100,000 from CDBG funding for SYRP operating administrative expenses. Aud. Cert. 9500052.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO CONTINUE TO SEPTEMBER 12, 1994 AT COUNCIL MEMBER VARGAS' REQUEST FOR FURTHER REVIEW. Second by Warden. Passed by the following vote:
Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-134:

SUBJECT: Agreement with the Vietnamese Federation for a United Refugee Center.
(Linda Vista Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-38) ADOPTED AS RESOLUTION R-284329

Authorizing an agreement (with attached note and deed of trust) with the Vietnamese Federation of San Diego, making available to the Federation an amount not to exceed \$200,000 in CDBG funds, for the acquisition of real property located at 7833 Linda Vista Road, to be used as a refugee center providing social services to aid in the assimilation of refugees into San Diego, and into American society;
Authorizing the expenditure of not to exceed \$200,000 from CDBG Fund 18529, Vietnamese Federation - United Refugee Center, for acquisition of property rights and related costs.

CITY MANAGER SUPPORTING INFORMATION:

On April 23, 1993 the Public Services and Safety Committee approved CDBG requests for Council District allocations for

Fiscal Year 1994. On May 24, 1993, City Council adopted the FY 1994 CDBG Program. One item approved for District 5 was the subject of this Council action, i.e., the Vietnamese Federation - United Refugee Center down payment acquisition in the amount of \$200,000. The Vietnamese Federation opened escrow on May 5, 1994 to purchase property located at 7833 Linda Vista Road from L.V.R. Properties, Ltd. for \$300,000. The property was appraised for \$305,000 on May 25, 1994. The Vietnamese Federation by this Council action has entered into an agreement with the City to apply the \$200,000 (less staff costs and appraisal fee) to the purchase of the property.
Aud. Cert. 9500032.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-135:

SUBJECT: Approving Construction Change Order No. 10 for the
North City Water Reclamation Plant.
(University Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-2037) ADOPTED AS RESOLUTION R-284330

Approving Construction Change Order No. 10, a deductive change order to be credited to the City in the amount of \$125,936.29, for the North City Water Reclamation Plant - Initial Site Preparation Contract package, Job Order No. 194580, CIP-42-910.1, reducing the total R.E. Hazard Construction Contract amount to \$3,448,981.51.

CITY MANAGER SUPPORTING INFORMATION:

By Council Resolution R-281746, dated April 12, 1993, the City Manager was authorized to execute a construction contract with the lowest bidder, R.E. Hazard, for the amount of \$3,829,540 for the Initial Site Preparation Package for the North City Water Reclamation Plant (NCWRP). Change Order No. 10 is the final

wrap-up change order for the completed contract amount. This last change order will decrease the construction contract cost by \$125,936.29.

The changes are:	Increase	Decrease
1. Furnish all equipment, materials, labor to construct sewer drop connections	\$18,000.00	
2. Furnish sewer jumpers at Sanitary Sewer Manholes #5 & #8	\$ 1,338.00	
3. Furnish all equipment, materials, and labor for additional extra work at the pressure reducing vault on Eastgate Mall	\$ 3,150.00	
4. Telephone toll charges at 5288 Eastgate Mall	\$ 2,322.71	
5. Deduct Fluorescent light fixtures		<\$225.00>
6. Deduct Unit Price Item No. 4, Allowance for Unknown Utilities		<\$50,000.00>
7. Deduct Unit Price Item No. 5, Allowance for Construction Power		<\$55,522.00>
8. Deduct Unit Price Item No. 8, Import Fill Material		<\$45,000.00>
	Sub Total: \$24,810.71	<\$150,747.00>
	Total Net Change Order Amount	<\$125,936.29>

WU-CWP-94-172.

FILE LOCATION: CONT - R.E. Hazard Construction
CONFY95-1

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-136:

SUBJECT: Supporting Senate Joint Resolution 44.
(See Intergovernmental Relations Department Report
IRD-94-18.)

RULES COMMITTEE'S RECOMMENDATION:

On 6/20/94, RULES voted 3-0 to recommend adoption of the following resolution (Councilmembers Stevens, Stallings, and McCarty voted yea; Councilmember Roberts and Mayor Golding not present):

(R-95-71) ADOPTED AS RESOLUTION R-284331

Supporting Senate Joint Resolution 44: State Sovereignty Resolution under the 10th Amendment to the U. S. Constitution; Directing the Intergovernmental Relations Department to convey the City's support of Senate Joint Resolution 44 to the appropriate elected officials in Sacramento and Washington, DC.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-137:

SUBJECT: Two actions related to Approval of the Source Reduction and Recycling Element and Nondisposal Facility Element for the City of San Diego.
(See City Manager Report CMR-94-191; Nondisposal Facility Element dated 3/94; Revised Draft Source Reduction & Recycling Element dated 6/94; Revised Draft Executive Summary dated 6/94; Negative Declaration DEP-94-0319.)

PUBLIC FACILITIES AND RECREATION COMMITTEE'S RECOMMENDATION:
On 7/13/94 PF&R voted 5-0 to recommend adoption of the following resolutions: (Councilmembers Mathis, Kehoe, Warden, Stallings and McCarty voted yea):

Subitem-A: (R-95-34) ADOPTED AS RESOLUTION R-284332

Approving the City of San Diego Source Reduction and Recycling Element, Revised Final Draft, dated June 1994; approving the City of San Diego Nondisposal Facility Element, dated March 1994.

Subitem-B: (R-95-35) ADOPTED AS RESOLUTION R-284333

Certifying that the information contained in Mitigated Negative Declaration DEP-94-0319, in connection with the approval of the City of San Diego Source Reduction

and Recycling Element and Nondisposal Facility Element, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that the Declaration has been reviewed and considered by Council.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-150:

SUBJECT: Tidelands Advisory Council Recommended Port Policy.
(See memorandum from Mayor Golding dated 7/12/94.)

Adoption of the following resolution:

(R-95-91) ADOPTED AS RESOLUTION R-284334

Approving the proposed Tidelands Council Port Policy.

RULES COMMITTEE'S RECOMMENDATION:

Reviewed by RULES on 11/8/93. The Committee voted 3-0 (Councilmembers Roberts, Stallings and Mayor Golding voted yea; Councilmembers Hartley and Behr not present) to recommend adoption of the draft port policy with the following additions:
A) Add as #5 to the environmental objectives: "To promote and support programs for tenant and tidelands industries to reduce their use of toxic materials, hazardous waste generation and emissions of toxic and carcinogenic materials to air, land and water."
B) Begin policy goal #3 with: "To maintain the bay as a viable ecosystem while providing for....."

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C106-420.)

MOTION BY ROBERTS TO ADOPT. Second by Stevens. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-151:

SUBJECT: Two actions related to the Sabre Springs Facilities Benefit Assessment.
(See City Manager Report CMR-P-94-120; and Draft FY 95 Public Facilities Financing Plan. Located east of I-15 and north and south of Poway Road. District-5.)

TRANSPORTATION AND LAND USE COMMITTEE'S RECOMMENDATION:

On 7/6/94, T&LU voted 4-0 to recommend adoption of the following resolutions (Councilmembers Mathis, Roberts, Warden, and Stallings voted yea; Councilmember Vargas not present):

Subitem-A: (R-95-46) ADOPTED AS RESOLUTION R-284335

Approving the document entitled "Sabre Springs Public Facilities Financing Plan and Facilities Benefit Assessment, June 1994."

Subitem-B: (R-95-45) ADOPTED AS RESOLUTION R-284336

Resolution of Intention to designate an area of benefit in Sabre Springs and setting the time and place for holding a public hearing.

FILE LOCATION: STRT FB-9

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200:

SUBJECT: Seal Rock Marine Mammal Reserve.
(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-95-1) INTRODUCED, TO BE ADOPTED ON AUGUST 8, 1994

Introduction of an Ordinance amending Chapter VI, Article 3, of the San Diego Municipal Code by adding Division 10, entitled Ecological Reserves, and Section 63.1001, relating to Seal Rock Marine Mammal Reserve, to include California Coastal Commission Permit Conditions and California Department of Fish and Game Permit Exemption Conditions.

CITY MANAGER SUPPORTING INFORMATION:

On February 22, 1993 City Council adopted an ordinance establishing a five-year Seal Rock Ecological Reserve in about 1.4 acres of ocean and offshore rocks in La Jolla, contingent upon approval of the California Coastal Commission. On November 18, 1993, the California Coastal Commission (CCC) approved the Reserve contingent upon submission of the following: 1) Written approval from the State Lands Commission of the proposed five-year Reserve as consistent with applicable tidelands grants and the public trust. (This was received January 25, 1994.) 2) Revised Reserve boundaries excluding any sandy beach area and confining the Reserve to open coastal waters and offshore rocks. (Boundaries have been revised.) 3) Agreement in writing to submit an annual report on education and/or research activities related to the Reserve to the CCC Executive Director. (Document has been prepared.) The Reserve's fishing restrictions were appealed by a citizen to the Fish and Game Commission on March 3, 1994 and the Commission made it clear that they would not allow any fishing restrictions in the Reserve unless harbor seals were listed as endangered, which they are not. On June 16, 1994 the Department of Fish and Game provided the City with ordinance language acceptable to them which allows fishing in the Reserve consistent with the Federal Marine Mammal Protection Act, regulations of the Fish and Game Commission, and State law. In today's action, the ordinance adopted by Council on February 22, 1993 is being revised to include the CCC's first two special conditions and the Department of Fish and Game's revised fishing language. Also, reference to "Seal Rock Ecological Reserve" is changed to "Seal Rock Marine Mammal Reserve" to be consistent with the CCC permit. The next steps are for staff to submit the revised ordinance and other documents requested by the CCC to their Executive Director, who will issue a permit. The 5-year Reserve will be effective 30 calendar days after the effective date of the CCC permit.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: C421-D095.)

MOTION BY STALLINGS TO INTRODUCE. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea,

Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay,
Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Two actions related to the Fiscal Year 1995 Animal
Control Contract.
(See City Manager Report CMR-94-183.)
(Continued from the meeting of July 11, 1994, Item 60,
at Councilmember Roberts' request, until after the
County takes action.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution and introduce the ordinance:

Subitem-A: (R-94-2032 Rev.) ADOPTED AS AMENDED AS
RESOLUTION R-284337

Authorizing an agreement with the County Department of
Animal Control, for animal control services, for the
period of July 1, 1994 through June 30, 1995;
Authorizing the expenditure of not to exceed \$1,400,000
from General Fund 100, Citywide Program Expenditures
(Program 60101).

Subitem-B: (O-94-129) INTRODUCED, TO BE ADOPTED ON
AUGUST 8, 1994

Introduction of an Ordinance amending Chapter IV,
Article 4, of the San Diego Municipal Code by amending
Section 44.0322, relating to Dog License Fees,
approving the removal of the \$.50 per year surcharge
from unaltered dog license fees and the contribution of
1% of dog license revenue to a County-wide Spay/Neuter
Trust Fund.
Aud. Cert. 9500014.

FILE LOCATION: SUBITEM A: MEET; SUBITEM B: NONE
CONTFY95-1

COUNCIL ACTION: (Tape location: D096-508.)

Motion by Stallings to accept the Manager's recommendation.
No second.

MOTION BY McCARTY TO ADOPT THE RESOLUTION AS AMENDED TO

INCLUDE THE FOLLOWING: 1) SI MONTHS CONTRACT WITH THE COUNTY DEPARTMENT OF ANIMAL CONTROL FOR ANIMAL CONTROL SERVICES; 2) DEVELOPMENT OF A PERFORMANCE CRITERIA IN THE CONTRACT; AND 3) DIRECTION TO THE CITY MANAGER TO COME BACK WITH ALTERNATIVES INCLUDING THE PRIVATIZATION WITH OTHER COMPANIES REGARDING ANIMAL CONTROL AND TO INTRODUCE THE ORDINANCE. Second by Kehoe. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202:

SUBJECT: Declaring a Continued State of Emergency regarding the Discharge of Raw Sewage from Tijuana, Mexico.
(San Ysidro and Tijuana River Valley Community Areas.
District-8.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-53) ADOPTED AS RESOLUTION R-284338

Declaring a continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

CITY MANAGER SUPPORTING INFORMATION:

For over 50 years, renegade raw sewage flows from Tijuana, Mexico have flowed across the international border in the Tijuana River into the United States. These flows have impacted the health and safety of San Diego residents. The permanent solution to this border situation is the construction of the proposed International Treatment Plant by the federal government. This plant is expected to be operational by 1998 and will treat raw sewage from Mexico. In the interim, until the international plant is constructed, the City in 1991, agreed to accept and treat 13 million gallons per day of Tijuana sewage in the Metropolitan Sewerage System. The amount of flow that the City can accept is limited due to the capacity of the emergency connection. Due to increased water availability and usage in Tijuana, raw sewage flows in the Tijuana River have increased. These flows are beyond the capacity that can be handled by the Mexican treatment system and the emergency connection. These increased flows threaten the health, safety and welfare of the citizens of San Diego. The continued declaration of emergency will enable the City to assist state and federal agencies in

expediting the treatment of this international sewage. The government code requires the local governing body to review a State of Emergency every fourteen days until the local emergency is declared terminated. This action requests the continuation of the State of Emergency declared by City Council on September 7, 1993 and authorization for the City Manager to execute all necessary contracts for the diversion, treatment, and disposal of international raw sewage.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203:

SUBJECT: Six actions related to Council Consideration of Ballot Propositions for the November 8, 1994 Election.

Adoption of the following resolutions:

Subitem-A: (R-95-68) ADOPTED AS RESOLUTION R-284339

Directing the City Attorney to prepare the necessary language to submit a four year waiver of the City's Tax Appropriations Limit (Gann Waiver) to the voters at the November 8, 1994 election.

Subitem-B: (R-94-2025 Rev.1) ADOPTED AS AMENDED AS
RESOLUTION R-284340

Directing the City Attorney to prepare the necessary language for submittal of a General Obligation Bond Measure to the voters at the November 8, 1994 election to provide for a new main library and to make improvements to branch libraries to implement Proposition N, which was approved on November 6, 1990.

Subitem-C: (R-94-2024 Rev.1) ADOPTED AS AMENDED AS
RESOLUTION R-284341

Directing the City Attorney to prepare the necessary language for submittal of the selection of one of two

alternative library sites to an advisory vote at the November 8, 1994 election to implement Proposition N, which was approved on November 6, 1990.

Subitem-D: (R-95-69) DEFEATED

Directing the City Attorney to prepare the necessary language for placement of a proposition amending the People's Ordinance of 1919 relating to trash pick-up on the November 1994 ballot.

Subitem-E: (R-95-72) ADOPTED AS RESOLUTION R-284342

Directing the City Attorney to prepare the necessary language to submit to the voters at the November 8, 1994 election, a proposition amending Section 141 of the City Charter pertaining to the vesting requirements for the City Employees' Retirement System.

Subitem-F: (R-95-70) CONTINUED TO AUGUST 1, 1994

Directing the City Attorney to draft the necessary language to place a proposition on the November 8, 1994 ballot to authorize the sale or lease of portions of Pueblo Lots 1276, 1304, 1305 and 1306.
(University Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION:

The City acquired the Pueblo Lots under the Pueblo Lands Grant in 1874. The remaining un-ratified lots comprise about 190 acres and are currently zoned R-1-5000 and A-1-10. The Community Plan designation is to rezone the Pueblo Lots west of I-805 to Scientific Research (SR) after January 1995. The Pueblo Lots east of I-805 comprise approximately 74 acres, are currently zoned A-1-10 and R-1-5000 and are designated as open space. The property cannot be leased for longer than 15 years or sold until it is ratified by a majority vote of the people. The 74-acre Pueblo Lot was previously ratified for sale to the U.S.A. (Navy) as part of a multi-parcel sale/exchange. The City chose to retain the property, and in order to equalize the exchange paid the Navy \$3.4 million for it. The property has an easement which restricts its use for mitigation for the City's wastewater treatment plant site which is located directly to the north. The Metropolitan Wastewater fund would need to be compensated and the easement vacated in order to use it for other purposes. It would also be necessary to ratify it again to be able to sell or lease it to private parties. The purpose of the sale or lease would be to generate employment in fields such as bio-technology and manufacturing, and/or generate revenue and sales tax. If this

action is approved by the Council and the lots are ratified for sale or lease at the November 1994 election, the funds from a sale or lease would be placed in the Industrial Development Fund after Metropolitan Wastewater Fund is repaid.

RECOMMENDATIONS ON SUBITEMS A-F:

- (1) The City Manager recommends adoption of Subitems A and F.
- (2) The Public Facilities and Recreation Committee reviewed Subitems B and C on 5/11/94. PF&R voted 3-2 (Councilmembers Kehoe, Warden and McCarty voted yea; Councilmembers Stallings and Mathis voted nay) to place two sites on an upcoming City-wide ballot - downtown and Mission Valley - along with a specific mixed plan for financing, including public and private funding; in addition, include improvements for branch libraries; in the meantime, sponsor educational forums through the City to generate interest.
- (3) Councilmember McCarty recommends adoption of Subitem D.
- (4) The Retirement Board recommends adoption of Subitem E.

FILE LOCATION: SUBITEM A,B,C,D,E: MEET; SUBITEM F: NONE

COUNCIL ACTION: (Tape location: C051-105; D509-G290;
G354-H085.)

MOTION BY McCARTY TO ADOPT SUBITEM A. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-nay, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-nay.

Motion by McCarty to adopt Subitems B and C to: 1) Place General Obligation Bond on November 1994 Ballot asking voters to pay \$17.00 per 100,000 evaluation for construction of new library and information center; 2) Have City to commit to raise \$10 million privately for the main library; 3) Set spending priorities; and 4) Include sentence "Require that funds sufficient to operate and maintain the City's main library and its branches be included in the City's Annual Appropriations Budget." No second.

Motion by Roberts to adopt Subitems B and C to: 1) Use the time between now and November to delineate by Council vote how much comes from the Redevelopment Agency and how much comes from General Obligation Bond; 2) Direct the City Manager and CCDC to come back with a report showing how CCDC can pay for half of \$80 million for a General Obligation Bond issue for the purpose of providing a main library; 3) Have City to commit to raise \$10 million privately for the main library; 4) Make improvements to branch libraries

detailed in Manager's Report; 5) Include Downtown library site; and 6) Vote for September 1995 Election. Second by Stevens. Vote not taken.

MOTION BY ROBERTS TO ADOPT THE SUBITEMS B AND C TO: 1) USE THE TIME BETWEEN NOW AND NOVEMBER TO DELINEATE BY COUNCIL VOTE HOW MUCH COMES FROM THE REDEVELOPMENT AGENCY AND HOW MUCH COMES FROM THE GENERAL OBLIGATION BOND; 2) DIRECT THE CITY MANAGER AND CCDC TO COME BACK WITH A REPORT SHOWING HOW CCDC CAN PAY FOR THEIR PORTION OF THE NEW LIBRARY; 3) HAVE THE CITY TO COMMIT TO RAISE \$10 MILLION PRIVATELY FOR THE MAIN LIBRARY; 4) THEN ASK VOTERS FOR APPROVAL OF THE REMAINING PORTION AND FOR THE MONEY FOR THOSE IMPROVEMENTS TO THE BRANCH LIBRARIES DETAILED IN THE MANAGER'S REPORT; 5) MAKE IMPROVEMENTS TO BRANCH LIBRARIES; 6) INCLUDE DOWNTOWN LIBRARY SITE; 7) AIM FOR SEPTEMBER 1995 ELECTION; AND 8) AS PART OF THE PROGRAM, ELICIT PRIVATE SUPPORT TO OFFSET COST OF THE SPECIAL ELECTION AND OFFSET THE CAPITAL IMPROVEMENT COST OF THE LIBRARY. Second by Stevens. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

MOTION BY WARDEN TO ADOPT SUBITEM D AND TO COME BACK TO COUNCIL WITH LANGUAGE FOR PLACEMENT OF A PROPOSITION AMENDING THE PEOPLE'S ORDINANCE OF 1919 RELATING TO TRASH PICK-UP ON THE NOVEMBER 1994 BALLOT AND TO ADD THE WORDS "WASTE PREVENTION" AFTER THE WORDS "COST REDUCTION." Second by McCarty. Failed by the following vote: Mathis-nay, Roberts-nay, Kehoe-nay, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor olding-nay.

MOTION BY KEHOE TO ADOPT SUBITEM E. Second by Stevens. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

MOTION BY MATHIS TO CONTINUE SUBITEM F TO AUGUST 1, 1994 WITH DIRECTION TO THE CITY ATTORNEY TO PREPARE THE NECESSARY LANGUAGE TO PLACE A PROPOSITION ON THE NOVEMBER 8, 1994 BALLOT TO AUTHORIZE THE SALE OR LEASE OF PORTIONS OF PUEBLO LOTS 1276, 1304, 1305, AND 1306 AT HIS REQUEST FOR FURTHER REVIEW AND DISCUSSION WITH THE CITY MANAGER. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-204:

SUBJECT: Appropriate Rates for Basic Tier Cable Television Service Provided by Cox Cable San Diego, Inc. (See City Manager Report CMR-94-161; and Auditor-Comptroller Report dated 5/23/94.) (Continued from the meeting of June 6, 1994, Item 200, at the request of Cox Cable, to allow time for the Federal Communications Commission (FCC) to respond to letters issued to them by the City of San Diego, City of La Mesa, and Cox Cable, to determine the refund amount.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-962 Corr.Copy 12/14/94) ADOPTED AS RESOLUTION R-284343

Disapproving the existing rates and charges for the Basic Service Tier and associated equipment for Cox Cable San Diego, Inc. (Cox);
Directing immediate implementation of new rates and charges as set forth in the City Auditor's Report dated May 23, 1994;
Directing implementation of a refund to subscribers for rates and charges collected since September 1, 1993 in excess of the rates and charges set forth in the City Auditor's Reports dated March 16, 1994 and May 23, 1994;
Directing Cox to use the appropriate Federal Communications Commission (FCC) Form with future filings as required by the FCC Rules and Regulations.

FILE LOCATION: FRAN - TV - Cox Cable Co.

COUNCIL ACTION: (Tape location: H086-131.)

MOTION BY MATHIS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-not present, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-205:

SUBJECT: Outstanding Issues related to the Rental Unit Business Tax.

(See City Manager CMR-94-197.)
CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1155 Rev.) ADOPTED AS AMENDED AS RESOLUTION R-284344

Accepting City Manager Report CMR-94-197, as the resolution of the Outstanding Issues related to the Rental Unit Business Tax, specifically including the following administrative changes:

- 1) Identify the revenue raised from the base tax separately from the revenue raised from the per unit tax, and designate the per unit tax as code enforcement revenues;
- 2) Exempt Section 8 housing units from the per unit tax.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H132-349.)

MOTION BY ROBERTS TO ADOPT STAFF'S RECOMMENDATION AS AMENDED TO: 1) INCLUDE A PROVISION THAT WILL ALLOW THOSE SITES THAT HAVE 8 OR MORE UNITS UNDER SINGLE OWNERSHIP TO LICENSE AS ONE BUSINESS; 2) DIRECT THE CITY MANAGER TO BRING BACK ALTERNATIVES INCLUDING 8 OR LESS HOUSING UNITS AT THE TIME OF FINAL APPROVAL; 3) DIRECT THE CITY MANAGER TO LOOK AT HOW THE CITY CAN GET A COMPUTER PROGRAM THAT WILL ALLOW THE CITY TO BE ABLE TO COMBINE DIFFERENT SITES UNDER ONE LICENSE; AND 4) EEMPT SECTION 8 HOUSING UNITS FROM THE PER UNIT TA. Second by Mathis. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-206:

SUBJECT: Inviting Bids for the Construction of West Miramar
Landfill - Liner - Modules 2 and 3.
(Miramar Naval Air Station. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-19) ADOPTED AS RESOLUTION R-284345

Inviting bids for the Construction of West Miramar Landfill - Liner - Modules 2 and 3 on Work Order No. 112458A;
Authorizing a contract with the lowest responsible bidder;
Authorizing the City Auditor and Comptroller to transfer \$5,430,600 from CIP-37-250.0, Landfill Closures Environmental Projects, Waste Management Enterprise Fund, Fund No. 41201 to CIP-37-056.0, West Miramar Refuse Disposal Facility - Phase II;
Authorizing the expenditure of \$5,430,600 from CIP-37-056.0, West Miramar Refuse Disposal Facility - Phase II, Waste Management Enterprise Fund, Fund No. 41201; Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-K95005)

CITY MANAGER SUPPORTING INFORMATION:

The 807-acre West Miramar Landfill Disposal Facility is located east of I-805, south of the U.S. Navy's Naval Air Station and north of State Highway 52. The City of San Diego operates the Miramar Landfill under a grant of easement from the United States of America which is administered by the U.S. Navy. Landfilling operations began in 1982 in the Phase I area and are scheduled to continue in the Phase II area through 2005 or later. The purpose of this work is to construct the improvements necessary to meet regulatory requirements mandated under Subtitle "D" of the Resource Conservation and Recovery Act. The improvements to be constructed include a double composite liner, leachate collection and monitoring system and other mandated environmental protection systems.

Aud. Cert. 9500043.

FILE LOCATION: W.O. 112458A CONT - Sukut Construction Inc.
CONTFY95-1E

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-207:

SUBJECT: Agreement with the World Trade Association of San Diego.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-2) ADOPTED AS RESOLUTION R-284346

Authorizing an agreement with the World Trade Association of San Diego for specified activities to promote and enhance trade activities;
Authorizing the expenditure of not to exceed \$850,597 from Fund/Dept. 18648, Org. 4222.

CITY MANAGER SUPPORTING INFORMATION:

On February 22, 1994, the City Council authorized the acceptance of \$5.78 million in grants from the Economic Development Administration, U.S. Dept. of Commerce, for the Economic Dislocation/Defense Adjustment Implementation Project, and authorized the City Manager to negotiate agreements with specified organizations to administer the Implementation Project. The World Trade Association of San Diego is a specified organization within the grant. The World Trade Association will undertake activities to accomplish certain goals and objectives of the grant to assist in the economic adjustment of defense related industries to commercial activities. The agreement will provide grant funding to provide services as related to the promotion and enhancement of San Diego's commercial import/export trade activities. The term of this agreement is concurrent with the funding provided by the grant. The terms and conditions of this agreement have been prepared in accordance with EDA administrative requirements and the grant conditions. Additionally, the agreement has been reviewed and approved by the EDA grant administration office.
Aud. Cert. 9500015.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: G291-353.)

MOTION BY STEVENS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-208: RETURNED TO THE CITY MANAGER

SUBJECT: Amendment and Restatement of the Supplemental Pension Savings Plan, Supplemental Pension Savings Plan - Medicare, Supplemental Pension Savings Plan - Hourly, and 401(k) Plan.
(See City Manager Report CMR-94-172.)
(Continued from the meetings of June 27, 1994, Item 119 and July 5, 1994, Item S401; last continued at the City Manager's request, for further review.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1967)

Amending the Supplemental Pension Savings Plan (SPSP), Supplemental Pension Savings Plan - Medicare (SPSP-M), Supplemental Savings Plan - Hourly (SPSP-H), and 401(k) Plans, subject to a vote of approval by the Plan Participants and effective upon that date;
Amending the SPSP, SPSP-M, SPSP-H, and 401(k) Plans to bring the Plans into conformance with federal tax law and California community property law, effective upon the date of adoption of this resolution by Council.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO RETURN TO THE CITY MANAGER AT HIS REQUEST. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-209:

SUBJECT: Fiscal Year 1995 Proposed San Diego Convention Center Corporation Budget.
(See City Manager Report CMR-94-200. Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-97) ADOPTED AS RESOLUTION R-284347

Approving the Fiscal Year 1995 Proposed San Diego Convention Center Corporation (SDCCC) Budget, which totals \$18,057,322 and includes San Diego Concourse (CPAC) operations.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H349-354.)

MOTION BY STEVENS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-ineligible, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-210:

SUBJECT: Fiscal Year 1995 Annual Appropriation Ordinance.
(See City Manager Report CMR-94-202.)

CITY MANAGER'S RECOMMENDATION:

Hold the first public hearing for the following ordinance:

(O-95-) HEARING HELD

Adopting the Annual Budget for Fiscal Year 1994-1995 and appropriating the necessary money to operate the City of San Diego for said fiscal year.

NOTE: Today's action is the first public hearing. See Item 336 on the docket of Tuesday, July 26, 1994 for the second public hearing and introduction and adoption of the ordinance.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: H355-J111.)

MOTION BY STALLINGS TO NOTE AND FILE ITEM-118 AND TO APPROVE CITY MANAGER'S RECOMMENDATION FOR ITEM-210 WITH DIRECTION TO THE CITY ATTORNEY TO PREPARE THE ANNUAL APPROPRIATION ORDINANCE. Second by Kehoe. Passed by the following vote: Mathis-yea, Roberts-nay, Kehoe-yea, Stevens-yea, Warden-nay, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-211: TESTIMONY HEARD

SUBJECT: In the matter of a Status Report on Rental Negotiations on the Kathryn Crake lease of approximately 5 acres at 3340 - 60 Sports Arena Boulevard. The negotiating party is the City Manager or his designate. Lease rate and lease terms are under discussion.

CITY MANAGER'S RECOMMENDATION:

It is proposed that the Manager's recommendation will be presented at Closed Session on July 26, 1994.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B424-C050.)

CONSENT MOTION BY STALLINGS TO ACCEPT TESTIMONY. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 9:10 p.m. in honor of the memories of Joe Lozano as requested by Mayor Golding and City Clerk Abdelnour; Dr. Walter Boyd Weaver and Reverend Charles B. Morton as requested by City Attorney Witt; Ronald Riveroll, James Elsner, and Richard Long as requested by Mayor Golding; and Bill Hickey as requested by Council Member Roberts.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: J374).